

HOUSE BILL 3062

By Campfield

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10 and Title 2, Chapter 5, relative to campaign finances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-10-310(a), is amended by deleting the language "Except as provided in subdivisions (a)(2) and (a)(3)" and by substituting instead the language "Except as provided in subdivisions (a)(2), (a)(3) and (a)(4)":

SECTION 2. Tennessee Code Annotated, Section 2-10-310(a), is amended by adding a new subdivision thereto, as follows:

(4) During the period described in subdivision (a)(1), the governor or a member of the general assembly who is a candidate for governor shall be permitted to conduct fundraising events and solicit or accept contributions for such campaign for such other public office only under the following conditions:

(A) The governor or member of the general assembly shall file a nominating petition in accordance with § 2-5-102(b)(5)(B) prior to conducting any such fundraising events;

(B) Such fundraising events shall not be held, nor contributions be solicited nor accepted, on state property;

(C) The candidate shall not be permitted to solicit or accept, directly or indirectly, any actual or in-kind contribution during such period from a lobbyist, employer of a lobbyist, or multicandidate political campaign committee;

(D) Solicitations and acceptance of contributions for such purposes may only be made from persons subject to the contribution limits in § 2-10-302(a); and

(E)

(i) Notwithstanding § 2-10-114 or any other law to the contrary, any candidate for governor who conducts fundraising events and solicits or accepts contributions pursuant to this subdivision (a)(4) shall after the election allocate any unexpended balance of contributions remaining in the campaign account for such election to one (1) or a combination of the following:

(a) The funds may be returned to any or all of the candidate's contributors, in accordance with a formula or plan specified in the candidate's disclosure of the allocation; and

(b) The funds may be distributed to an organization that has received a determination of exemption from the United States internal revenue service pursuant to 26 U.S.C. § 501(c)(3), if such organization is currently operating under such exemption.

(ii) No such unexpended funds may be retained or transferred to any other campaign fund.

SECTION 2. Tennessee Code Annotated, Section 2-5-102(b)(5), is amended by designating the existing language as subdivision (A) and by adding the following language to be designated as subdivision (B):

(B) Notwithstanding subdivision (b)(5)(A), a nominating petition shall be issued to the governor or a member of the general assembly upon the governor or the member's request seeking to file a nominating petition to run as a candidate for governor pursuant to § 2-10-310(a)(2).

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.